

# Notice of Allowability

Application No.

09/675,958

Examiner

Jonathan Ouellette

Applicant(s)

KUSUMOTO ET AL.

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/15/2004.
2. ☒ The allowed claim(s) is/are 65, 154-159 and 161-315.
3. ☒ The drawings filed on 29 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

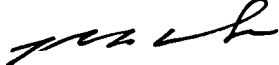
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. The Request filed on 11/15/2003 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/675,958 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Response to Amendment***

2. Claims 1-64, and 66-153 have been cancelled, claim 160 was omitted, and claims 154-159 and 161-315 have been added; therefore, Claims 65, 154-159, and 161-315 are currently pending in application 09/675,958.

### ***Claim Rejections - 35 USC § 103***

3. The rejection of Claim 65 under 35 U.S.C. 103(a) as being unpatentable over Heckel (US 6,036,601) in view of Gever et al. (US 6,329,994 B1) is withdrawn due to applicant's amendments.

### ***Allowable Subject Matter***

4. **Claims 65, 181, 208, 235, 262, and 289 are allowed**
5. The following is a statement of reasons for the indication of allowable subject matter:
6. **As per independent Claims 65, 208 and 262**, while the prior art does (Heckel US 6,036,601) does disclose a method (system, computer program product) for selected

advertising in a virtual world, comprising: providing demographic specific advertisements to users/participants of a virtual environment (abstract), and tracking statistical information regarding user/participant interaction (viewing) of the advertisements (C3 L4-16).

7. Heckel fails to teach or suggest providing one or more advertisements to a participant, wherein users of said virtual world include said participant; receiving at least one selection of said one or more advertisements from said participant; providing one or more locations for said participant to choose to display said one or more advertisements in said virtual world; receiving at least one selection of said one or more locations from said participant; creating a selected advertisement from said at least one selection of said one or more advertisements and said at least one selection of said one or more locations; providing for display to at least one of said users said selected advertisement in said virtual world, wherein said users are participants in said virtual world or viewers of said virtual world; and providing a reward to at least said participant, wherein said reward is based on at least said providing for display to at least one of said users.
8. **As per independent Claims 181, 235 and 289**, while the prior art does (Heckel US 6,036,601) does disclose a method (system, computer program product) for selected advertising in a virtual world, comprising: providing demographic specific advertisements to users/participants of a virtual environment (abstract), and tracking statistical information regarding user/participant interaction (viewing) of the advertisements (C3 L4-16).

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9. Heckel fails to teach or suggest providing one or more advertisements to a participant, wherein users of said virtual world include said participant; receiving at least one selection of said one or more advertisements from said participant; providing one or more locations for said participant to choose to display said one or more advertisements in said virtual world; receiving at least one selection of said one or more locations from said participant; creating a selected advertisement from said at least one selection of said one or more advertisements and said at least one selection of said one or more locations; providing for display to at least one of said users said selected advertisement in said virtual world, wherein said users are participants in said virtual world or viewers of said virtual world; and providing a reward to at least one of a host or an advertiser, wherein said reward is based on at least one of (i) providing one or more advertisements to said participant, (ii) receiving said at least one selection of said one or more advertisements from said participant, (iii) providing said one or more locations for said participant to choose to display said one or more advertisements, (iv) receiving said at least one selection of said one or more locations, or (v) providing for said display to said at least one of said users said selected advertisement.
10. Gever et al. (US 6,329,994 B1) teaches creating a virtual character (avatar), wherein the users can personalize their character by selecting clothing and logos to wear on the clothing (C18 L39-67, C19 L1-3).
11. However, Gever fails to teach or suggest providing for display to at least one of said users said selected advertisement in said virtual world, wherein said users are participants in said virtual world or viewers of said virtual world; and providing a reward to at least

said participant, wherein said reward is based on at least said providing for display to at least one of said users, as described by the applicant in independent Claims 65, 181, 208, 235, 262 and 289.

12. The remaining dependent Claims 154-159, 161-180, 182-207, 209-234, 236-261, 263-288, and 290-315 are considered allowable, as it is dependent and based off of an allowable independent claim.

13. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

16. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

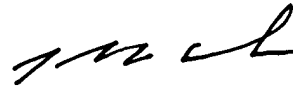
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A handwritten signature in black ink, appearing to be "jo" or similar, written over the date.

December 7, 2004

A handwritten signature in black ink, appearing to be "JG Weiss", written above the printed name.

JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600